

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Cushaw B. Barnett

v.


Case No. 13-cv-141-SM

Steven J. McAuliffe

O R D E R

Re: (Document No. 8)
Motion for Recusal of Judge Steven J. McAuliffe

Ruling: Denied. Although petitioner styled the caption of his initial pleading as if it were a civil claim of some kind against the presiding judge, it is plain that petitioner only sought relief allowed by and under the provisions of 28 U.S.C. § 2255. The real parties in interest are the petitioner and the United States - no claim has been asserted against the presiding judge, nor could one be asserted in this context, and merely styling the case incorrectly does not give rise to a basis upon which to urge recusal of the assigned judge. This case is closed.


Steven J. McAuliffe
United States District Judge

Date: May 3, 2013

cc: Cushaw B. Barnett